



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GARY A. QUAINANCE, an individual, Petitioner, vs. HERB HALLMAN CHEVROLET, INC. dba CHAMPION CHEVROLET, a domestic corporation, Respondent.	Matter No.: 3:19-cv-00340 ORDER - GRANTING PETITIONER'S EX PARTE EMERGENCY MOTION TO SHORTEN TIME ON PETITION FOR ORDER TO PERPETUATE TESTIMONY BY DEPOSITION BEFORE ACTION, PURSUANT TO FED. R. CIV. P. 27(a)
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ORDER GRANTING PLAINTIFF'S EX PARTE EMERGENCY MOTION

This matter having come before the Court upon Petitioner Gary A. Quaintance's *Ex Parte Emergency Motion to Shorten Time on Petition for Order to Perpetuate Testimony by Deposition Before Action, Pursuant to Fed. R. Civ. P. 27(a)* ("Motion"); the Court having reviewed the *Motion* and related papers; due and proper notice of the *Motion* having been provided; and oral argument having been heard on June 20, 2019, after due deliberation and sufficient cause appearing therefore, the Court finds that the *Motion* should be GRANTED.

WHEREFORE, IT IS HEREBY ORDERED Petitioner Gary A. Quaintance ("Petitioner") shall be permitted to appear at Litigation Services, located at 151 Country Estates Circle, Reno,

Nevada 89511, on or after June 25, 2019, where his videotaped deposition of direct trial and/or arbitration testimony, subject to evidentiary rulings which may limit its admissibility in whole or in part, shall be taken and preserved for any subsequent litigation and/or arbitration against Herb Hallman Chevrolet, dba Champion Chevrolet ("Champion"), arising under Title VII – 42 U.S.C. § 2000e *et seq.*, to be filed and/or noticed after Petitioner and/or the class members identified in the Equal Employment Opportunity Commission's ("EEOC") *Determination* letter, *see* Doc #2¹ at 18-19, have exhausted administrative remedies and obtained (a) right-to-sue letter(s) from the EEOC. The substance of Petitioner's videotaped deposition that shall be allowed is described in Section II(E) of the *Petition*, *see id.* at 12, as well as testimony relevant to the *Comprehensive Agreement at Will and Arbitration*, *see* Doc #7-1 at 2.

Petitioner's legal counsel shall notify Champion's legal counsel, by electronic means, at least three (3) business days, prior to the date upon which Petitioner's videotaped deposition shall be taken, with the time and date thereof.

IT IS SO ORDERED

DATED: This 25th day of June 2019



THE HONORABLE WILLIAM G. COBB
UNITED STATES MAGISTRATE JUDGE

¹ Refers to the Court's Docket number.